

KEY NO.: 164-02800-1710 & 1786 & 1709
STATE ID NO.: 79-07-19-403-020.000-026
79-07-19-403-018.000-026
79-07-19-403-017.000-026

PROJECT: Purdue Perimeter Parkway- Phase 1A
PARCEL NO.: 3B thru 3D TEMP
COUNTY: TIPPECANOE
OWNER: Purdue Research Foundation

TEMPORARY RIGHT OF WAY

THIS INDENTURE WITNESSETH THAT PURDUE RESEARCH FOUNDATION ("Grantor"), an Indiana corporation (formed and existing under the Indiana Foundation or Holding Companies Act, Acts of 1921, ch. 246) of Tippecanoe County in the State of Indiana, conveys and warrants to the CITY OF WEST LAFAYETTE ("Grantee") of the State of Indiana, for use as temporary right of way for the purpose of yard grading, structure removal and drive construction, the following Real Estate in Tippecanoe County in the State of Indiana.

PARCEL: 3B thru 3D TEMP

PROJECT: Purdue Perimeter Parkway- Phase 1A

DESCRIPTION: EXHIBIT "A"

(the "Real Estate").

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of West Lafayette to accept this grant, represents that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens of any kind or character which would be inconsistent with the temporary rights granted herein.

Grantee agrees that upon the completion of any construction, reconstruction, modification, supplementation, maintenance, operation, and/or removal in connection with the purposes of this Temporary Right of Way, Grantee shall restore the area described on Exhibit A and any areas of Grantor's property disturbed by Grantee. Grantee shall grade, seed, and mulch the same, closing all excavations with proper backfill and compaction, and replacing, with similar quality or better, any and all then existing improvements, landscaping, driveways, parking lots, sidewalks, drainage tiles, utility lines, and other appurtenances on, under, through, or over the area described on Exhibit A and/or the disturbed areas of Grantor's property at no expense to Grantor.

The temporary right of way automatically reverts back to the property owner at the completion of the project.

The undersigned persons executing this Temporary Right-of Way represent and certify on behalf of the Grantor, that they are the Senior Vice President, Treasurer, and COO, and the Corporate Secretary, respectively, of the Grantor and has full authority to manage the affairs and sign and execute documents on behalf of the PURDUE RESEARCH FOUNDATION, an Indiana corporation (formed and existing under the Indiana Foundation or Holding Companies Act, Acts of 1921, ch. 246), and that their authority has not been revoked; that they are, therefore, fully authorized and empowered to convey to the City of West Lafayette of the State of Indiana the Real Estate and to execute all the necessary instruments in connection therewith.

IN WITNESS WHEREOF, the above-named Grantor, PURDUE RESEARCH FOUNDATION, an Indiana corporation (formed and existing under the Indiana Foundation or Holding Companies Act, Acts of 1921, ch. 246), has caused this Temporary Right-of-Way to be executed by its duly authorized officers this _____ day of _____, 2010.

PURDUE RESEARCH FOUNDATION

an Indiana corporation (formed and existing under the Indiana Foundation or Holding Companies Act, Acts of 1921, ch. 246)

By: _____
Joseph B. Hornett
Senior Vice President, Treasurer, & COO

ATTEST:

By: _____
Judith A. Hall
Corporate Secretary

STATE OF INDIANA: }
 } **SS:**
COUNTY OF TIPPECANOE }

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of _____, 2010, personally appeared PURDUE RESEARCH FOUNDATION, an Indiana corporation (formed and existing under the Indiana Foundation or Holding Companies Act, Acts of 1921, ch. 246), by Joseph B. Hornett and Judith A. Hall, its Senior Vice President, Treasurer, and Chief Operating Officer, and Corporate Secretary respectively, who acknowledged the execution of the foregoing Temporary Right of Way for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Signature: _____

Printed Name: _____

Notary Public

County of Residence: _____

My Commission Expires: _____

ACCEPTED: CITY OF WEST LAFAYETTE BY ITS BOARD OF PUBLIC WORKS

John R. Dennis Mayor

Sana G. Booker, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Elizabeth M. Stull, Member

ATTEST:

Judith C. Rhodes, Clerk-Treasurer

STATE OF INDIANA: }

} SS:

COUNTY OF TIPPECANOE}

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John R. Dennis, Sana G. Booker, Bradley W. Marley, Jonathan C. Speaker and Elizabeth M. Stull of the West Lafayette Board of Public Works and Safety, and acknowledge the execution of the above release, for the uses and purposes herein mentioned.

Witness my hand and Notarial Seal this _____ day of _____, 2010

I am a resident of _____ County.

Signature

My Commission Expires _____

Printed Name

"I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law, Ronald L. Francis

Instrument prepared by: Eric H. Burns, Withered Burns & Persin, LLP, 8N 3rd St. Suite 401, P.O. Box 499 Lafayette, IN 47901
Grantee's Address: City Hall 609 West Navajo Street, West Lafayette, IN 47906

NOTE: THE FILING OF A SALES DISCLOSURE FORM 46021 (R 8/7/08) IS NOT REQUIRED IN ORDER TO RECORD THIS INSTRUMENT BECAUSE THIS IS A GIFT, CONVEYANCE, GRANT, AND/OR ASSIGNMENT OF AN INTEREST IN REAL PROPERTY FOR NO CONSIDERATION BEYOND NOMINAL CONSIDERATION RECITED IN THIS DOCUMENT.

EXHIBIT "A"

Project: Perimeter Parkway
Parcel: 3B Temporary Right of Way for Grading
Form: T-3

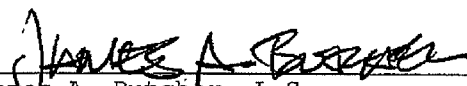
Sheet: 1 of 3

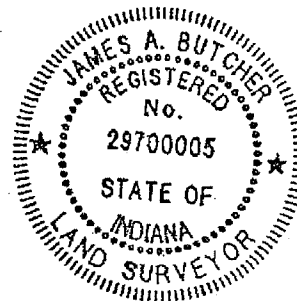
A part of Lot 9 in Sheetz Heirs Addition, the plat of which is recorded in Deed Book 75, Page 347 in the Office of the Recorder of Tippecanoe County, Indiana, located in the northwest quarter of the southeast quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana, described as follows:

Commencing at the southeast corner of said lot; thence North 0 degrees 11 minutes 33 seconds West 10.00 feet along the east line of said lot to the POINT OF BEGINNING; thence South 89 degrees 04 minutes 46 seconds West 165.72 feet; thence North 41 degrees 49 minutes 34 seconds West 6.80 feet; thence South 89 degrees 11 minutes 30 seconds East 160.24 feet; thence North 33 degrees 48 minutes 08 seconds East 17.88 feet to the east line of said lot; thence South 0 degrees 11 minutes 33 seconds East 15.00 feet along said east line to the POINT OF BEGINNING, containing 501 square feet, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 13th day of April, 2010.


James A. Butcher, L.S.
Registered Land Surveyor
State of Indiana, No. 29700005



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EXHIBIT "A"

Project: DEM-0501163
Parcel: 3C Temporary Right of Way for Grading
Form: T-3

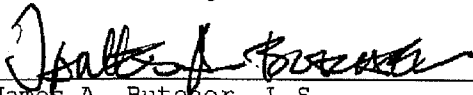
Sheet: 2 of 3

A part of Lot 1 in the Replat of Lots 7, 8 and Part of 6 in Sheetz Heirs Addition, the plat of which is recorded in Plat Cabinet C, Slide 128 in the Office of the Recorder of Tippecanoe County, Indiana, located in the northwest quarter of the southeast quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana, described as follows:

Commencing at the southwest corner of said lot; thence North 0 degrees 11 minutes 33 seconds West (basis of bearings) 10.00 feet along the west line of said lot to the POINT OF BEGINNING; thence continuing North 0 degrees 11 minutes 33 seconds West 20.00 feet; thence South 89 degrees 11 minutes 30 seconds East 50.73 feet; thence South 0 degrees 48 minutes 30 seconds West 20.00 feet; thence North 89 degrees 11 minutes 30 seconds West 50.38 feet to the POINT OF BEGINNING, containing 1,011 square feet, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 13th day of April, 2010.


James A. Butcher, L.S.
Registered Land Surveyor
State of Indiana, No. 29700005

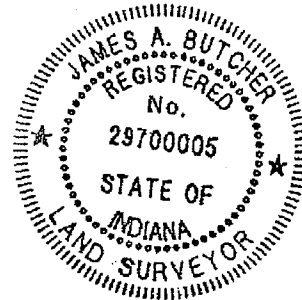


EXHIBIT "A"

Project: DEM-0501163
Parcel: 3D Temporary Right of Way for Grading
Form: T-3

Sheet: 3 of 3

A part of Lot 1 in the Replat of Lots 7, 8 and Part of 6 in Sheetz Heirs Addition, the plat of which is recorded in Plat Cabinet C, Slide 128 in the Office of the Recorder of Tippecanoe County, Indiana, located in the northwest quarter of the southeast quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana, described as follows:

Commencing at the southeast corner of said lot; thence North 0 degrees 38 minutes 28 seconds West (basis of bearings) 35.01 feet along the east line of said lot to the POINT OF BEGINNING; thence South 47 degrees 57 minutes 59 seconds West 36.77 feet; thence North 34 degrees 24 minutes 39 seconds East 48.03 feet to the east line of said lot; thence South 0 degrees 38 minutes 28 seconds East 15.00 feet along said east line to the POINT OF BEGINNING, containing 207 square feet, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 13th day of April, 2010.



James A. Butcher, L.S.
Registered Land Surveyor
State of Indiana, No. 29700005

